

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America,

-v-

Michael Laboy,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/15/2020

16-cr-669 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

The conference on alleged violations of supervised release scheduled for October 22, 2020, at 11:00 a.m. is adjourned to October 23, 2020, at 1:00 p.m. By October 19, 2020, defense counsel should respond to the following two questions:

- 1) If both an in-court and videoconference proceeding are available, does the Defendant prefer to be sentenced at an in-court proceeding in Courtroom 906 of the United States District Court for the Southern District of New York, Thurgood Marshall U.S. Courthouse at 40 Foley Square, New York, New York, or at a videoconference proceeding?
- 2) If an in-court proceeding is unavailable, does the Defendant consent to be sentenced at a videoconference proceeding?

If the Defendant consents to proceed by videoconference, either as a matter of preference or because an in-court proceeding is unavailable, please complete and submit the written consent form attached to this Order. Defense counsel may sign on the Defendant's behalf if authorized by the Defendant to do so. If the Court is unable to conduct an in-court proceeding at the scheduled time and the Defendant does not consent to proceed by videoconference, the Court may adjourn the hearing to a later date.

SO ORDERED.

Dated: October 15, 2020
New York, New York



ALISON J. NATHAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

-v-

WAIVER OF RIGHT TO BE PRESENT AT
CRIMINAL PROCEEDING

,
Defendant.

-CR- () ()

-----X

Check Proceeding that Applies

____ Arraignment

I have been notified of the specifications of violation of the terms of supervised release that have been filed against me and have discussed the specifications with my attorney. I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York to confirm that I have received and reviewed the specifications; to have the specifications read aloud to me if I wish; and to enter a denial or admission of violation before the judge. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York to be informed of these specifications and to enter a denial or admission.

Date:

Signature of Defendant

Print Name

____ Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these rights with my attorney and wish to give up these rights for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney and I be permitted to participate by telephone, or if it is reasonably available by videoconferencing, in any conference with the court at which such conditions or my remand are discussed.

Date:

Signature of Defendant

Print Name

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this

waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held without my client being physically present in court.

Date: _____
Signature of Defense Counsel

Print Name

Addendum for a defendant who requires services of an interpreter:

I used the services of an interpreter to discuss these issues with the defendant. The interpreter also translated this document, in its entirety, to the defendant before the defendant signed it. The interpreter's name is:
_____.

Date: _____
Signature of Defense Counsel

Accepted: _____
Signature of Judge
Date: